

UNITED STATES DISTRICT COURT

for the
Northern District of Mississippi

FILED

SEP 22 2008

DAVID GREWS, CLERK
By J. Adams
Deputy

United States of America

v.

Sammie Lee Dillard

Date of Previous Judgment: November 4, 2005
(Use Date of Last Amended Judgment if Applicable)

Case No. 4:05CR00057-B
USM No. 12210-042

Defendant's Attorney: Federal Public Defender N.D.

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon agreed motion of ☒ the defendant, ☒ the U.S. Attorney, ☐ the Director of the Bureau of Prisons, ☐ the court, under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 71 months is **reduced to 60 months**,

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	23	Amended Offense Level:	21
Criminal History Category:	III	Criminal History Category:	III
Previous Guideline Range:	60-71 months	Amended Guideline Range:	46-57 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE (Prior to any departures)

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): The amended guideline range of 46-57 months is limited to 60 months due to a mandatory minimum.

III. ADDITIONAL COMMENTS: This order becomes effective on the date(s) listed below. If the sentence imposed is less than the term already served, the sentence is reduced to a "time served" sentence.

Except as provided above, all provisions of the judgment dated November 4, 2005 shall remain in effect.

IT IS SO ORDERED.

Order Date: 9/19/08

Effective Date: 9/29/08
(if different from order date)

Neal J. [Signature]
U.S. District Court Judge